

FILED

Deputy Prosecuting Attorney
Defense Attorney/pro se Defendant
Police Department
HISC
Court Reporter

2005 NOV -1 AM 10: 57

IN THE CIRCUIT COURT OF THE THIRD CIRCUIT
STATE OF HAWAII
First Division

C. OKAWA, CLERK
THIRD CIRCUIT COURT
STATE OF HAWAII

AMENDED
COURT ORDER RE: ARRAIGNMENT AND PLEA and SETTING CRIMINAL TRIAL SCHEDULE

CASE NUMBER: CR 05-1-0080
CASE NAME: STATE vs. WENDELL TANGARO
ATTORNEYS: Darren Ching, Deputy Prosecutor
Eric Seitz, Attorney for Defendant

DEFENDANT WAS ORDERED TO DISPOSE OF ALL FIREARMS AND AMMUNITION IN COMPLIANCE WITH ACT 215 SLH 1993, TO APPEAR FOR THE TRIAL DATE, AND TO APPEAR FOR PRE-TRIAL CONFERENCES, IF NOT IN CUSTODY.

N/A DEFENDANT'S REQUEST FOR **GRAND JURY TRANSCRIPTS** IS GRANTED.
THIS ORDER SHALL BE THE NOTICE TO Court Reporter, COURT REPORTER
WHO RECORDED GRAND JURY PROCEEDINGS ON Date.

NEW TRIAL DATE: 5/8/06 @ 9:00 A.M.
Jury: XXX Jury Waived: _____
Anticipated Trial Length: 4 Days

DEADLINE FOR PRETRIAL MOTIONS: 6/17/05

EARLY PRE-TRIAL CONFERENCE: N/A

FINAL PRE-TRIAL CONFERENCE: N/A

Pre-trial conferences have been set to ascertain the status of this matter. Attorneys should be prepared to discuss details of their case (e.g. witnesses, evidence, etc.). Prosecutors will be expected to tender a written settlement offer (if appropriate) within fourteen (14) days after Arraignment and Plea or Trial Setting. Defense attorneys will be expected to have spoken with their clients and to have authority to respond to the offer at or before the pre-trial conference.

DISCLOSURE OF DEFENSES (except alibi) AND DISCOVERY CUT OFF DATE: 7/8/05

All discovery shall be completed on or before the Discovery Cut Off Date. On or before the Discovery Cut Off Date, the parties shall serve and file a final witness list (original + 3 copies) and a final exhibit list (original + 4 copies). If a witness is not listed on the final witness list, the witness may not be called without leave of court and upon a showing of good cause and substantial need for the witness' testimony. If an exhibit is not listed on the

EXHIBIT A

I hereby certify that this is a true and correct copy of the original on file in this office.

Clerk, Third Circuit Court, State of Hawaii

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final exhibit list, the exhibit may not be introduced into evidence without leave of court and upon a showing of good cause and substantial need for the exhibit.

The Prosecuting Attorney and Defendant shall provide, at least sixty (60) days before trial, a written summary of testimony that the Prosecuting Attorney or Defendant intends to use under Rules 702, 703 and 705 of the Hawaii Rules of Evidence or may use under those rules pursuant to State v. Clark, 83 Haw. 289 (1996). If, in response to the initial disclosure, the Prosecuting Attorney or Defendant intends to use testimony under Rules 702, 703 and 705 of the Hawaii Rules of Evidence or may use testimony under those rules pursuant to State v. Clark, the Prosecuting Attorney or Defendant shall provide, at least thirty (30) days before trial, a written summary of such testimony. The written summaries shall describe the witnesses' opinions, the bases and reasons for the opinions, and the witnesses' qualifications. The failure to provide a written summary of testimony as required herein may result in the testimony being barred unless there is leave of Court and upon a showing of good cause and substantial need for the testimony.

If necessary, a conference will be scheduled to assure trial readiness. At least three (3) working days prior to the trial readiness conference, the parties shall serve upon each other and submit to the Court the following: Requested jury instructions (original + 1 copy) and a list of all attorneys in their respective office (original only). Also, attorneys should be prepared to stipulate to evidence and/or witnesses.

NOTICE: All conferences will be held in Judge's Chambers. Counsel are reminded to bring their calendars. Rescheduling of any dates and/or times must be done by the person who desires the change. A substitute date/time available on the Court's calendar and agreed to by all parties must be established before any conference is canceled.

DATED: Hilo, Hawaii, _____

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JUDGE OF THE ABOVE ENTITLED COURT